

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-00430-JFH

JUAN RANGEL ORTIZ et al.,

Defendants.

Second or Subsequent Joint Status Report Regarding Production of Discovery

The parties previously filed their original Joint Status Report Regarding Production. Since the original filing, there have been no material changes in the status of discovery in this matter. The parties adopt the original status report by reference. This second or subsequent joint statement is submitted pursuant to Federal Criminal Rule 16.1(a). The parties advise as follows:

1. The government and defense counsel for respective counsel continue to convene individual meetings to discuss discovery relevant to individual defendants. The discussions are ongoing as needed.
2. (a)(1) Any contested issues of discovery and inspection raised by counsel for plaintiff:

The government has requested reciprocal discovery from the defense and is awaiting responses. The government is requesting:

- i. Names of witnesses;
- ii. Personal identifiers for each witness;
- iii. Summary of proposed testimony or copies of reports generated

by investigators working on behalf of the defense; and

- iv. Copies of defendants' exhibits.

The government understands the defense is collecting materials. Currently, the government does not have any contested discovery issues.

(a)(2) Any contested issues of the discovery and inspection raised by counsel for defendant:

To date, the government has disseminated rolling discovery. The United States continues to meet its obligation to disclose discovery in a reasonable time. As additional discovery becomes available, the government will continue to provide copies to the defense.

(b) Any additional discovery or inspection desired by either party:

Reference response to 3(a)(2).

- 3. The fact of disclosure of all materials favorable to the defendant or the absence thereof within the meaning of *Brady v. Maryland* and related cases:

The government is not aware of any discovery favorable to the defendant not already disclosed.

- 4. The fact of disclosure of the existence or nonexistence of any evidence obtained through electronic surveillance or wiretap:

The government has already disclosed evidence obtained pursuant to wiretap, ping warrant, and tracker warrant(s).

- 5. The fact of disclosure of the contemplated use of the testimony of an informer. (Include only the fact an informer exists and not the name or testimony thereof):

Reference response to 3(a)(2).

The government has provided reports referencing an informant.

As the government continues to prepare for trial, it expects to generate additional reports for disclosure about cooperators.

- 6. The fact of disclosure of the general nature of any evidence of other crimes,

wrongs, or acts the government intends to introduce at trial pursuant to Fed. R. Evid. 404(b):

To be determined.

7. The fact of disclosure of the prior felony convictions of any convictions of any witness the government intends to call in its case-in-chief:

The government intends to disclose prior felony convictions of its witnesses.

8. The resolution, if any, of foundational objections to documentary evidence to be used by both parties (except for the purpose of impeachment):

This area is pending further discussion. The parties will request leave of the Court to supplement its responses in this area as they reach agreements.

9. The resolution, if any, of chain-of-custody matters (where at issue):

Reference response to question 9.

10. The resolution, if any, of the admissibility of any reports containing scientific analysis without requiring the expert's attendance at trial:

Reference response to question 9.

11. The parties will provide each other with the opportunity to inspect any demonstrative evidence, representational exhibits, or charts.

Agreed.

12. Notice of Alibi:

Not applicable.

13. Notice of Insanity Defense or Expert Testimony of Defendant's Mental Condition:

Not applicable.

14. Notice of Defense Based on Public Authority:

Not applicable.

At the conclusion of this conference, counsel conferred concerning the contents of this joint statement.

Respectfully submitted,

CLINTON J. JOHNSON
UNITED STATES ATTORNEY

/s/ Joel-lyn A. McCormick

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of November 2023, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to defense counsel in this matter.

/s/ Joel-lyn A. McCormick
Assistant United States Attorney